

POWER OF ATTORNEY FOR PATENT APPLICATION

In re Patent Application of:

Inventor(s): GUSUI WU ET AL.

Title: STRAWBERRY VEIN BANDING VIRUS (SVBV) PROMOTER

Serial No: Unassigned

Filed: October 30, 2001

**ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231**

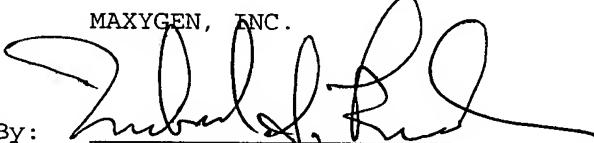
SIR:

AS ASSIGNEE OF RECORD OF THE ENTIRE INTEREST OF THE ABOVE IDENTIFIED APPLICATION,
HEREBY APPOINT THE FOLLOWING AS MY ATTORNEYS AND AGENTS WITH FULL POWER OF
SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT
OFFICE CONNECTED THEREWITH:

Sharon M. Fujita	38,459	Norman J. Kruse	35,235
Christopher M. Holman	40,021	Margaret A. Powers	39,804
Joanne R. Petithory	42,995	Kevin L. Bastian	34,774
Matthew E. Hinsch	47,651		

Send Correspondence to: Maxygen, Inc.
 Intellectual Property Department
 515 Galveston Drive
 Redwood City, California 94063

Dated this 30 day of October, 2001

MAXYGEN, INC.

 By: Michael S. Rabson
 General Counsel and
 Senior Vice President

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **STRAWBERRY VEIN BANDING VIRUS (SVBV) PROMOTER**

the specification of which (check one) X is attached hereto ____ was filed on **October 30, 2001** as Application Serial No. Unassigned and was amended on ____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

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I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) Number	Country	Day/Month/Year Filed	Priority Claimed <u>Yes</u> <u>No</u>
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial No.	Filing Date	Status
60/245,354	01-NOV-2000	Patented, Pending, Abandoned <u>X</u>

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(650) 298-5300 - (650) 298-5446 (Fax)

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Thereby declare that all statements herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Gusui WuInventor's signature [Signature]Date 10/29/2001Residence DAVIS, CALIFORNIACitizenship U.S.A.Post Office Address 1322 Madera Court, Davis, California 95616Full name of second inventor Kevin McBrideInventor's signature [Signature]Date 10-29-01Residence DAVIS, CALIFORNIACitizenship U.S.A.Post Office Address 1309 Marin Circle, Davis, California 95616

Full name of third inventor _____

Inventor's signature _____

Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of fourth inventor _____

Inventor's signature _____

Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of fifth inventor _____

Inventor's signature _____

Date _____

Residence _____

Citizenship _____

Post Office Address _____